

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Bernhard Raaf, et al.
Appl. No.: 09/914,002
Filed: August 20, 2001
Title: METHOD AND DEVICE FOR SYNCHRONIZING A RECEIVER
WITH A TRANSMITTER
Art Unit: Unknown
Examiner: Unknown
Docket No.: 112740-281

Commissioner for Patents
Washington, DC 20231

RESPONSE TO MISSING REQUIREMENTS UNDER 35 U.S.C. § 371

Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. § 371 ("Notice") mailed on December 19, 2001, Applicants are respectfully submitting herewith an executed Declaration in compliance with 37 C.F.R. § 1.497(a) and (b) along with a check in the amount of \$130 pursuant to 37 C.F.R. § 1.492(e).

In the Notice, the Patent Office also asserts that the current translation of the application into English is allegedly defective. The Patent Office states that the number of claims in the International Application and the number of claims in the translation are not the same.

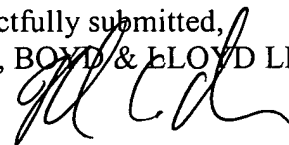
Applicants respectfully submit that the English translation is not defective. In this regard, Applicants believe that the International Application (WO00/49723) includes 14 claims and the current English translation thereof includes 14 claims. Attached herewith is a copy of the International Application and a copy of the English translation as previously filed on August 20, 2001.

Accordingly, Applicants respectfully submit that the requirements of the Notice have been satisfied.

Early consideration on the merits is respectfully requested.

Respectfully submitted,
BELL, BOYD & LLOYD LLC

BY


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FORM PTO-1390 (Modified)
(REV 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

112740-281

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR
09/914,002INTERNATIONAL APPLICATION NO.
PCT/DE00/00309INTERNATIONAL FILING DATE
1 February 2000PRIORITY DATE CLAIMED
19 February 1999

TITLE OF INVENTION

METHOD AND DEVICE FOR SYNCHRONIZING A RECEIVER WITH A TRANSMITTER

APPLICANT(S) FOR DO/EO/US

Bernhard Raaf et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☒ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
 - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 20 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
20. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
22. ☒ Certificate of Mailing by Express Mail
23. ☒ Other items or information:

Response to Missing Requirements under 35 USC 371

Notification of missing requirements under 35 USC 371 in the United States Designated/Elected office

U.S. APPLICATION NO. (IF KNOWN, S. 101) 09/914,002	INTERNATIONAL APPLICATION NO. PCT/DE00/00309	ATTORNEY'S DOCKET NUMBER 112740-281
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24. The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :

- ☐ Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO **\$1040.00**
- ☐ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO **\$890.00**
- ☐ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO **\$740.00**
- ☐ International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) **\$710.00**
- ☐ International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) **\$100.00**

ENTER APPROPRIATE BASIC FEE AMOUNT =

Surcharge of **\$130.00** for furnishing the oath or declaration later than ☐ 20 ☒ 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	- 20 =	0	x \$18.00	\$0.00	
Independent claims	- 3 =	0	x \$84.00	\$0.00	
Multiple Dependent Claims (check if applicable).			<input type="checkbox"/>	\$0.00	

TOTAL OF ABOVE CALCULATIONS =

☐ Applicant claims small entity status. See 37 CFR 1.27). The fees indicated above are reduced by 1/2.

SUBTOTAL =

Processing fee of **\$130.00** for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).

TOTAL NATIONAL FEE =

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).

TOTAL FEES ENCLOSED =

	Amount to be: refunded	\$
	charged	\$

- a. ☒ A check in the amount of **\$130.00** to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. **02-1818**. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Thomas C. Basso (Reg. No. 46,541)
Bell, Boyd & Lloyd LLC
P.O. Box 1135
Chicago, Illinois 60690-1135

SIGNATURE

Thomas C. Basso

NAME

46,541

REGISTRATION NUMBER

December 11, 2001

DATE

12/31 2001 UEDUVIJE 00000039 09914002

01 FC 154 130.00 OP

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Applicant(s): Bernhard Raaf et al.

Docket No.

112740-281

Serial No.

09/914,002

Filing Date

August 20, 2001

Examiner

Group Art Unit

 Invention: **METHOD AND DEVICE FOR SYNCHORNIZING A RECEIVER WITH A TRANSMITTER**

I hereby certify that the following correspondence:

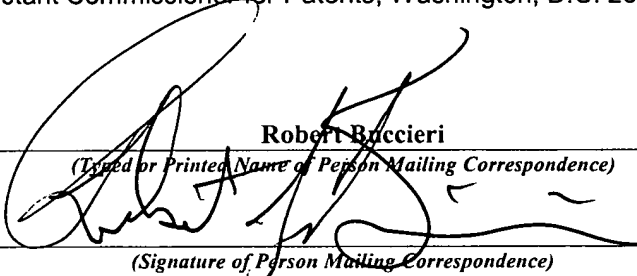
Transmittal letter to the United States Designated/elected office in duplicate, Notification of Missing Requirements, Response to missing requirements, executed declaration and power of attorney, late fee \$130.00, International application, English translation, postcard (see enclosed envelope for executed assignment and fee)

(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on

December 11, 2001
(Date)

Robert Baccieri

(Typed or Printed Name of Person Mailing Correspondence)


(Signature of Person Mailing Correspondence)

EL727380978US

("Express Mail" Mailing Label Number)

Note: Each paper must have its own certificate of mailing.

☒ Commissioner For Patents, Box PCT, United States Patent and Trademark Office, Washington, D.C. 20231, www.uspto.gov

U.S. APPLICATION NUMBER NO.

09/914,002

FIRST NAMED APPLICANT

Bernhard Raaf

ATTY. DOCKET NO.

112740-281

INTERNATIONAL APPLICATION NO.

PCT/DE00/00309

IA. FILING DATE

02/01/2000

PRIORITY DATE

02/19/1999

Thomas C Basso
Bell Boyd & Lloyd
PO Box 1135
Chicago, IL 60690

CONFIRMATION NO. 7178

371 FORMALITIES LETTER



OC000000006919337

DUE: 12-19-01

Date Mailed: 10/19/2001

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Preliminary Amendments
- Request for Immediate Examination

RECEIVED
BELL, BOYD & LLOYD
INTELLECTUAL PROPERTY DOCKET

OCT 31 2001 TR

ATTY: TCB
DOCKET #: 112740-281

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. The current translation of the application into English is defective as described below.
 - The number of claims in the International Application and the number of claims in the translation are not the same.
- Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 30 months from the priority date (37 CFR 1.492(f)).
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Additionally the following defects have been observed:

- Additional claim fees of **\$270** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$530** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.
- **\$130** for English translation surcharge required.
- Total additional claim fee(s) for this application is **\$270**
 - **\$270** for multiple dependant claims surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

PAULETTE R KIDWELL

Telephone: (703) 305-3656

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/914,002	PCT/DE00/00309	112740-281